

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Status

Claims 1-16 are currently pending. By this paper, claims 1, 2, 3, 9, 15, and 16 are amended. No new matter will be added to this application by entry of these amendments. Entry is respectfully requested.

Applicants note with appreciation the indication of allowable subject matter for claims 1 – 16.

Applicants have amended claims 1, 2, 3, 9, 15, and 16 by adding the underlined claim language in “error information related to a position of the pupil plane, along the pupil plane.” This amendment is not made for any substantial reason related to patentability (§§ 102, 103). Support for these amendments is found throughout the application as filed, including for example on page 26, line 16 to page 27 line 9.

The Office Action has rejected each of these claims under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection. Applicants respectfully submit that the originally filed specification contains support for the claim limitations at issue, including for example at the following locations:

Claim Language At Issue	Illustrative Support in Specification
“... detecting error information related to a position of the pupil plane” in claims 1 and 2.	p. 27, lines 4-9 (“On the basis of this data, the pupil plane positional deviation amount can be detected. Figure 13 illustrates the sequential flow for detecting the positional deviation (error) of the pupil plane as a system error, described above.”)
“... a third step for detecting wavefront aberration of the optical system on the basis of the imaging position of each light beam upon the pupil plane and the error information” in claims 1 and 2.	p. 28, lines 9-13 (“Then, on the basis of the calculated system error, the positional deviation amount of the pupil plane is corrected, and thus the wavefront aberration of the projection optical system is calculated.”).
“... storing means for storing error information related to a position of the pupil plane” in claims 3, 9, 15, and 16.	p. 28, lines 3-9 (“When measurements for all the positions are completed, the system error (positional deviation amount of pupil plane) is calculated on the basis of the positional deviation measurement results thus obtained, and the detected error is stored as a calibration file.”).

Accordingly, Applicants request withdrawal of the rejections under 35 U.S.C. § 112. Applicants respectfully submit that claims 1-16 are in allowable form.

Appl. No. 10/692,438
Docket No.: 1232-5183
Reply to Office Action dated July 12, 2006
Paper dated October 12, 2006

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested.

While no fees or extension of time are believed necessary for this Amendment, should an extension of time be required for the timely submission of this paper, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-5183.

In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5183.

Respectfully submitted,
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